

200000087

# THE UNIVERD STAYIES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

# Asgrob Seed Company IIC

THE THERE HAS BEEN PRESENTED TO THE

### Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW. THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS. FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE MOHIT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR ORTHOGIT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT FOR BY THE PLANT VARIETY PROTECTION ACT. (84 STAT, 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'AG3303'

In Testimony Thereof, I have hereunto set my hand and caused the seal of the Hunt Unriety Protection Office to be affixed at the City of Washington, D.C. this twenty-fourth day of April, in the year of our Lord two thousand one.

Secretary of Syriculture

Clun R. Post Acting Commissioner Plant Variety Protection Office Agricultural Marketing Service

#### U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Phyacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

Application is required in order to determine it a plant vanety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

(Instructions and information collection burden statement	on reverse)			
1 NAME OF OWNER	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1		2 TEMPORARY DESIGNATION OR EXPERIMENTAL NAME	3 VARIETY NAME
Asgrow Seed Company LLC			AGC33801	AG3303
4 ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code, and County	(ry)	d d	5 TELEPHONE (include area code)	FOR OFFICIAL USE ONLY
634 East Lincoln Way	•		515-232-7170	
Ames IA 50010		1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -		2°0°0°0°0008
			6 FAX (include area code)	
	the second	11	515-956-6905	
, and the charge was to be a second		·		12/9/1999
7 IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.)	8 IF INCORPORATI	ED GIVE RPORATION	9 DATE OF INCORPORATION	12/9/1999
Corporation	Delaware		March 22, 1968	
10 NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THE	S APPLICATION (First	person listed will re	Celve all paners:	FILING AND EXAMINATION
		and a second training		l tees.
Donald Steffen		the setup of		£ .2450.00
Asgrow Seed Company LLC			AND A STOLEN CONTRACTOR OF THE STOLEN CONTRACT	S DATE 12/9/1999
634 East Lincoln Way Ames IA 50010				E
			1.104	E CERTIFICATION FEE.
		. ,		18:300
	1 m			DATE 4/6/01
11 TELEPHONE (Include area code) 12 FAX (Include area code)	13. E_M	AfL	14 CF	ROP KIND (Common Name)
515–956–3002 515–956–6905	donal	d.e.steff	en@monsanto.com	Soybean
		S. 13		
15 GENUS AND SPECIES NAME OF CROP	16. FAW	MILY NAME (Botanic		THE VARIETY A FIRST GENERATION BRID?
Glycine max	Leg	guminosae		☐ YES 🙀 NO
18 CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow reverse)	restructions on	19. DOES THE	OWNER SPECIFY THAT SEED OF THIS	VARIETY BE SOLD AS A CLASS OF
a. S Exhibit A. Origin and Breeding History of the Variety		CERTIFIED	SEED? See Section 83(a) of the Plan	I Vanety Protection Act)
b Exhibit B. Statement of Distinctness	entropy of the second		YES (If "yes", answer items 20 and 21 below)	NO (If "no," go to item 22)
c Exhibit C. Objective Description of Variety	The straight of the straight o	20. DOES THE (	OWNER SPECIFY THAT SEED OF THIS	VARIETY BE LIMITED AS TO NUMBER
d.	197 <del>18</del> 82 - Filip Filip (1	<u></u>	YES	□ NO
1. IVI Voucher Sample (2.500 viable untreated courts on the tuber appears	ited varieties.	<u> </u>		
repository)	approved public	l	ITEM 20, WHICH CLASSES OF PRODU FOUNDATION   REGISTERED	<u> </u>
G. Filing and Examination Fee (\$2,450), made payable to "Treasurer of States" (Mail to the Plant Variety Protection Office)	the United		FOUNDATION   REGISTERED	☐ CERTIFIED
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBR FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR US OTHER COUNTRIES?	ID PRODUCED ED IN THE U. S. OR	23. IS THE VAR PROPERTY	RETY OR ANY COMPONENT OF THE VA RIGHT (PLANT BREEDER'S RIGHT OR	RIETY PROTECTED BY INTELLECTUAL PATENT)?
☐ YES XM NO			YES	₩ NO
IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, I FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space inc.	RANSFER, OR USE	IF YES, PLE	ASE GIVE COUNTRY DATE OF EN INC.	OD ISSUANCE AND ASSIGNED
24. The purpers declare that a wable sample of basis speed of the parish will be 6			E NUMBER. (Please use space indicated	
The endeaversed connected adjaced the course of this security security and as a		CH DIS CONSTITUTE OF ST	e Cerunicale.	and the first of the second of
	ory a rotocutational	2.5	nat the variety is new, distinct, uniform, as	nd stable as required in Section 42,
Owner(s) is(are) informed that false representation herein can jeopardize prote	iction and result in pena	ities.		
SIGNATURE OF DWNER!	the property of the second	SIGNATURE OF	OWNER	
NAME (Please print or type)		NAME (Please p	mnt or type)	
Donald Steffen				
CAPACITY OR TITLE DATE		CAPACITY OR	ITTLE	DATE
	15/1999			
S&T-470 (6-98) designed by the Plant Vanety Protection Office with WordPerfect 6.0		70.001		and information collection burden statemer

ASGROW SEED COMPANY LLC PVP APPLICATION - AG3303 October 1999

#### **EXHIBIT A**

#### ORIGIN AND BREEDING HISTORY OF AG3303

- 1995 Cross YP950045 was made near Isabela, Puerto Rico. Parentage: A3559\*AGR37504
- 1995-6 F1 & F2 generations were grown near Isabela, Puerto Rico and advanced using modified pedigree selection.
- 1996 F3 Bulk Populations were grown in Stonington, Illinois and single plants pulled.
- 1996-7 F3 derived F4 plants were grown in Rancagua, Chile in progeny rows, and row YP950045 CH7-34361 was selected based on agronomic characteristics.
- F3:5 YP950045 CH7-34361 was entered in a yield test at 4 locations in the Midwest, where it placed 2<sup>nd</sup> of 50 entries.
- AG3303 is uniform and stable within commercially acceptable limits based on trial observations since 1997. As with any other soybean variety, variants can occur for almost any characteristic during the course of repeated sexual reproduction.

### **EXHIBIT B**

## Novelty Statement Concerning AG3303 Soybean

To our knowledge, the soybean varieties that closely resemble AG3303 are A3559, A3431, and AG3701:

1. Pubescence color	AG3303 A3559 A3431 AG3701	- Tawny - Gray - Gray - Gray
<ol> <li>RR™ gene         (Tolerance to glyphosate herbicide)</li> </ol>	AG3303 A3559 A3431 AG3701	<ul><li> Present</li><li> Absent</li><li> Absent</li><li> Present</li></ul>
3. Soybean cyst nematode resistance (Race 3 and Race 14)	AG3303 A3559 A3431 AG3701	- Res3, Res14 - Res3, Mod.Res14 - Res3, Mod.Res14 - Res3, Susc14
4. Pod wall color	AG3303 A3559 A3431 AG3701	- Tan - Tan - Brown - Brown

RÉPRODUCE LOCALLY. Include form number and date on all reproductions

Form Approved: OMB NO. 0581-0055

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is extimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender religion to the description of programs. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Venter at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

EXHIBIT C (Soybean

# **OBJECTIVE DESCRIPTION OF VARIETY SOYBEAN (***Glycine max* (L.) Merr.)

11/11/11/01 /	HI DICHUI(B)				FOR OFFICIAL USE ONLY
Asgrov	w Seed Com	pany LLC			PVPO NUMBER
· ·	Street and No., or R.F.I		Zip Code)		VARIETY NAME
`	,	, ,,	1		AG3303
634 East	t Lincoln Way				TEMPORARY DESIGNATION
Ames I	A 50010		•		AGC33801
LEASE REA	AD ALL INSTRUCT	TIONS CAREFULL	Y: Place the appropri	ate number that desc	cribes the varietal character of this variety in the boxes below. Plac
zero in the f ninimum of andard may	irst box (e.g. $\square$ $\square$ 100 plants. Compared to determine the used to determine the control of th	$\Box$ or $\Box\Box$ ) when a rative data should be time plant colors;	number is either 99 o	r less 9 or less resper ricties entered in the ed:	ctively. Data for quantitative plant characters should be based on the same trial. Royal Horticultural Society or any recognized cold
	PHOLOGY	our variety, lack or	response may delay	progress or your ap	phcation.
		÷			
eed Shap		~ · · ·			
2		Spherical		<del>-</del>	al Flattened
		W, L/T, and T/W	ratios - <1.2)	,	>1.2; L/T ratio = <1.2)
		Elongate T ratio > 1.2; T/W	- 42)	-	te-Flattened
eed Coat	•	1 1400 ~ 1.2, 1/V	1.2)	(L/1 rauo >	1.2; T/W >1.2)
1	1= Yellow	2= Green	3= Brown	4= Black	5= Other
					( Please Specify)
eed Coat	Luster:				
1	1= Dull	2= Shiny			
eed Size:					
1 4	grams/100 s	eeds			
lilum Colo	nr•				
6	1= Buff	2= Yellow	3= Brown	4= Gray	5= Imperfect Black
	6= Black	7= Other ( <i>Pl</i>	ease Specify)		
otyledon (	Color:	·			

2 = Green

1 = Yellow

# A. MORPHOLOGY Continued)

	. 🕻	,			
Seed Prote	in Peroxidase Acti	ivity:			
	1 = Low	2 = High			
Hypocotyl	Color:				
3	1 = Green Evans' or 'Davis'	2 = Green with Bronze Bands below Cotyledon Woodworth'or'Tracy'	below Cotyledons	4 = Dark Purpleextend unifoliate leaves (Hodg 'Coker',or'Hampton26	son',
Leaf Shape	<b>:</b>				
3	1 = Lanceolate	2 = Oval 3 = Ova	ate 4 = Other ( <i>Plea</i>	se Specify)	·····
Flower Col	or:				
2	1 = White	2 = Purple 3 = Wh	ite with a Purple Throat		
Pod Color:					
1	1 = Tan	2 = Brown 3 = Bl	ack		
Pubescence	Color:				
2	1 = Gray	2 = Brown (Tawny)	3 = Light Tawny		
Plant Habit					
3	1= Determinate	2= Semi-Determinate	3= Indeterminate	4 = Intermediate	
B. DISEAS	SE REACTIONS	0 = Not Tested	1 = Susceptible 2 = Re	sistant 3 = Tolerant	
Bacterial					
0	Bacterial Pustule	e (Xanthomonas campestr	is pv. <i>glycines</i> (Nakano) I	Dye)	
0	<b>Bacterial Blight</b>	(Pseudomonas syringae p	v. <i>glycinea</i> (Coerper) You	ung, Dye &Wilkie)	
0	Wildfire Blight (	Pseudomonas syringae pv	. tabaci (Wolf & Foster) Y	oung, Dye &Wilkie)	
Fungal					
0	Brown Spot (Sep	toria glycines Hemmi)			
	Frogeye Leafspot	(Cercospora sojina)			
0	race 1	0 race 2	0 rac	ee 3 0	race 4
0	race 5	0 race 6	0 Ot	her ( <i>Please Specify</i> )	
0	Target Spot (Cor	ynespora cassiicola (Berk	a. & Curt.)Wei)		

Downy Mildew (Peronospora trifoliorum var. manshurica (Naum.) Syd. Ex Gaum)

B. D	ISEASE REA	ACTIONS (Continued) 0	= Not Tested 1 = Susceptible 2 =	Resistant 3 :	= Tolerant
0	Powde	ery Mildew ( <i>Microsphaera diff</i>		2 (	00000087
0	Brown	Stem Rot ( <i>Phialophora grega</i>	ta (Allington & Chamberlain) W. C	Gams.)	
0	Stem (	Canker ( <i>Diaporthe phaseoloru</i>	m (Cke. & Ell.)Sacc. var. caulivora	Athow & Caldw	ell)
0	Pod an	nd Stem Blight ( <i>Diaporthe pha</i>	seolorum (Cke. & Ell.)Sacc. var. soj.	ae (Lehman) We	ehm.)
0	Purple	Seed Stain (Cercospora kikuc	hii (T. Matsu. & Tomoyasu) Garder	ier)	
0	Rhizoc	tonia Root rot ( <i>Rhizoctonia so</i>	lani Kuhn)	·	
Phytop	ohthora Rot ( <i>Ph</i>	ytophthora megasperma Drech	s. f. sp. <i>glycinea</i> (Kuan & Erwin))		
2	race 1	2 race 8	2 race 15	1	race 22
2	race 2	2 race 9	1 race 16	2	race 23
2	race 3	2 race 10	2 race 17	2	race 24
1	race 4	2 race 11	1 race 18	1	race 25
1	race 5	1 race 12	1 race 19	0	race 26
2	race 6	2 race 13	1 race 20	0	race 27
2	race 7	1 race 14	2 race 21		Other ( <i>Please</i> Specify)
0	Bud Bli	ght ( Tobacco Ringspot Virus)	i		
0	Yellow I	Mosaic ( Bean Yellow Mosaic	Virus)		
0	Cowpea	Mosaic (Cowpea Chlorotic Vi	irus)		
0	Pod Mot	ttle ( Bean Pod Mottle Virus)			
0	Seed Mo	ottle ( Soybean Mosaic Virus)			
Nemato	ode				
Soybean	ı Cyst Nematode	e ( Heterodera glycines Ichinol	ne)		
0	race 1	2 race 3	0 race 6	2	race 14 (former r. 4)
0	race 2	0 race 5	0 race 9		Other (Please
0	Lance No	ematode ( <i>Hoplolaimus colom</i> i	bus Sher)		Specify)
0			dogyne incognita (Kofoid & White)	Chitwood)	
0		Root Knot Nematode ( <i>Meloi</i>		<b>,</b>	

В.	DISEASE REACTIONS Continued) 0	= Not Tested	1 = Susceptible	2 = Resistant	3 = Tolerant
0	Peanut Root Knot Nematode ( Meloi	dogyne arenari	a (Neal) Chitwoo	d)	
0	Reniform Nematode (Rotylenchulus	<i>reniformis</i> Lin	wood & Olivera)	20	0000087
0	Javanese Nematode (Meloidogyne ja	wanica (Treud	Chitwood)	<del></del>	
·	Other Nematode (Please Specify)				
C. P	PHYSIOLOGICAL RESPONSES 0	= Not Tested	1 = Susceptible	2 = Resistant	3 = Tolerant
0	Iron Chlorosis on Calcareous Soil				
0	Phosphorus				
0	Boron				
0	Aluminum				
0	Salt				
0	Drought				
	Other (Please Specify)	, , <u>, , , , , , , , , , , , , , , , , </u>			
D. II	NSECT REACTIONS 0	= Not Tested	1 = Susceptible	2 = Resistant	3 = Tolerant
0	Mexican Bean Beetle (Epilachna vari	iv <i>esti</i> s Mulsant			
0	Potato Leaf Hopper (Empoasca fabac	e (Harris))			
	Other (Please Specify)				
<b>E.</b> H	IERBICIDE REACTIONS 0	= Not Tested	1 = Susceptible	2 = Resistant	
2	Metribuzin				
0	Bentazone				
1	Sulfonylurea				
2	Glyphosate				
1	Glufosinate				
0	Pendimethalin				
	Other (Please Specify)	····			
F. TR	RANSGENIC COMPOSITION			· · · · · · · · · · · · · · · · · · ·	, , , , , , , , , , , , , , , , , , , ,
Has the	e development of the Subject Variety included	the insertion o	r removal of gen	etic material?	
If yes, p	please complete the following information equa	ests*. Use addi	tional pages if ne	ccessary.	Yes X No

# F. TRANSGENIC COMPOSITION(Continued)

- 1. Please state the vector's name:
- 2. Please state the vector components:
- 3. Please describe the genetic material successfully transferred into the Subject Variety:
- 4. Please describe the insertion protocol:
- \* A literature citation(s) explaining the four information requests above may be an acceptable alternative to completion of the "Transgenic Composition" portion of this form.

### G. BIOCHEMICAL MARKERS

Please describe any biochemical information here which you believe will be helpful in further describing the Subject Variety (e.g. Sim Sequence Repeats, Random Fragment LengthPolymorphisms, Isozymic Characterization). Use additional pages if necessary.

### H. COMMENTS

ASGROW SEED COMPANY LLC PVP APPLICATION - AG3303 October 1999

### EXHIBIT D

### Additional Description of AG3303 Soybean

AG3303 is a mid maturity group III variety with resistance to Roundup <sup>tm</sup> herbicide. It has very high yield potential. It has superior yields to lines of similar maturity and has excellent agronomic characteristics, including superior lodging resistance. In tests, it has beat Asgrow AG3001 by 128 % overall, winning at 4 of 4 locations. AG3303 would be grown in the mid Group III growing areas of the corn belt, including Iowa, Illinois, Missouri, Indiana, and Nebraska. It has above average attractiveness.

ASGROW SEED COMPANY LLC PVP APPLICATION - AG3303 October 1999

### **EXHIBIT E**

### Statement of Basis of Applicant Ownership

AG3303 was originated and developed by Dr. Craig K. Moots, an Asgrow soybean breeder. By agreement with Asgrow Seed Company LLC, all rights to any invention, discovery or development made by employees are assigned to the company. No rights of such invention, discovery or development are returned to the employee.

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE	The following statements are made in 1974 (5 U.S.C. 552a) and the Paperwo	
EXHIBIT E STATEMENT OF THE BASIS OF OWNERSHIP	Application is required in order to decertificate is to be issued (7 U.S.C. 2 until certificate is issued (7 U.S.C. 2426	421). Information is held confidential
1. NAME OF APPLICANT(S)	TEMPORARY DESIGNATION     OR EXPERIMENTAL NUMBER	3. VARIETY NAME
Asgrow Seed Company LLC	AGH33701 250. 2000 AGC33801	AG3303 HZFel. 2000
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)	5. TELEPHONE (include area code)	6. FAX (include area code)
634 E. Lincoln Way Ames IA 50010	515-232-7170	515-232-6905
	7. PVPO NUMBER 20000	0087
9. Is the applicant (individual or company) a U.S. national or U.S. based of the critical particular of country.  If no critical particular is a country of country.	company?	(X) YES ["] NO
If no, give name of country	nompany?  NO If no, please answer one of the form	<u>23</u> i. !
If no, give name of country	NO If no, please answer one of the fo	<u>23</u> i. !
If no, give name of country  10. Is the applicant the original owner?  a. If original rights to variety were owned by individual(s), is (are) the original rights to variety were owned by individual(s).	NO If no, please answer one of the fo	<u>23</u> i. !
If no, give name of country  10. Is the applicant the original owner?  a. If original rights to variety were owned by individual(s), is (are) the original rights to variety were owned by individual(s).	NO If no, please answer one of the formiginal owner(s) a U.S. national(s)?  NO If no, give name of country	ollowing:
If no, give name of country  10. Is the applicant the original owner?  a. If original rights to variety were owned by individual(s), is (are) the country  b. If original rights to variety were owned by a company(ies), is(are) the	NO If no, please answer one of the formiginal owner(s) a U.S. national(s)?  NO If no, give name of country	ollowing:
If no, give name of country  10. Is the applicant the original owner?  a. If original rights to variety were owned by individual(s), is (are) the country  b. If original rights to variety were owned by a company(ies), is(are) the	NO If no, please answer one of the foriginal owner(s) a U.S. national(s)?  NO If no, give name of country e original owner(s) a U.S. based company  NO If no, give name of country	ollowing:
If no, give name of country  10. Is the applicant the original owner?  a. If original rights to variety were owned by individual(s), is (are) the country  b. If original rights to variety were owned by a company(ies), is(are) the	NO If no, please answer one of the foriginal owner(s) a U.S. national(s)?  NO If no, give name of country e original owner(s) a U.S. based company  NO If no, give name of country	ollowing:
If no, give name of country  10. Is the applicant the original owner?  a. If original rights to variety were owned by individual(s), is (are) the country  b. If original rights to variety were owned by a company(ies), is(are) the	NO If no, please answer one of the foriginal owner(s) a U.S. national(s)?  NO If no, give name of country e original owner(s) a U.S. based company  NO If no, give name of country	ollowing:
If no, give name of country  10. Is the applicant the original owner?  a. If original rights to variety were owned by individual(s), is (are) the country  b. If original rights to variety were owned by a company(ies), is(are) the	NO If no, please answer one of the foriginal owner(s) a U.S. national(s)?  NO If no, give name of country e original owner(s) a U.S. based company  NO If no, give name of country	ollowing:

#### PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

- 1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
- 2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
- 3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition

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